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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,151	01/23/2002	Ali Abdolsalehi	270/216	2496
23410	7590	09/16/2005		
COHEN SAKAGUCHI & ENGLISH LLP 2040 MAIN STREET, 9TH FLOOR IRVINE, CA 92614			EXAMINER SCUDERI, PHILIP S	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/057,151	ABDOLSALEHI, ALI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Philip S. Scuderi	2153	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US 6,789,120, hereinafter "Lee") in view of Sturges et al. (US 2002/0114274, hereinafter "Sturges"), and further in view of Rinne et al. (US 2001/0052012, hereinafter "Rinne").

2. Lee teaches a method of providing one-way video transmission and corresponding interactive two-audio communication to remote recipients accessing the Internet via a world wide computer network, the method comprising the steps of:

a) creating at a source location a source digital audio/video signal corresponding to a viewed scene (e.g., column 4 lines 44-59, inherent in creating an audio/video communication w/ a receiver);

b-c) broadcast transmitting the source digital audio/video signal at substantially the same time the source digital video signal is created, wherein the source digital audio/video signal is transmitted through a transmission channel to at least one recipient via an internet connection a VoIP protocol (e.g., column 4 lines 44-59, creating an audio/video communication w/ a receiver when the receiver is on a LAN using a VoIP/H.323 protocol);

d) transmitting a recipient audio/video signal created at a recipient location and responsive to the source audio signal or the source video signal, wherein the source audio signal is transmitted

from the recipient location to the source location via an Internet connection (e.g., column 4 lines 44-59, it implies that the receiver can respond since VoIP/H.323 are two-way protocols).

3. Lee's transmission uses VoIP/H.323 protocols, which do not appear to create dedicated (i.e., separate) channels (i.e., sessions) for audio and video data respectively. Nonetheless, it was well known in the art to set up separate RTP sessions for audio and video data, as evidenced by Sturges.

4. In a similar art, Sturges teaches a similar H.323 protocol (e.g., paragraph 0032) that establishes separate sessions for audio and video data respectively (e.g., paragraph 0038). Given the teachings of Sturges, it would have been obvious to one of ordinary skill in the art to create separate sessions for the audio and the video data, thereby enabling the receiver to set different QoS parameters for audio and video data streams, as was well known in the art and evidenced by Rinne (paragraph 0019 lines 13-22).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Sturges, further in view of Rinne, and further in view of Rafal et al. (US 2002/0002586, hereinafter "Rafal").

6. Lee-Sturges-Rinne teaches the system applied to claim 1. The sender must have a camera in order to transmit the video signal. The sender must have a digital audio encoding device to transmit the audio signal. Any node along the path between the sender and the recipient reads on a VoIP audio server, since the node would transmit audio data to the recipient. The sender's computer reads on a broadcast digital video server, since it transmits the digital video.

7. Lee-Sturges-Rinne do not expressly teach that the recipient receives the audio/video communication via an Internet web page. Nonetheless, it was well known in the art to access live

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audio/video communications using a web-based portal (i.e., an Internet web page), as evidenced by Rafal.

8. In a similar art, Rafal teaches that it was well known to extend the capabilities of web browsers to permit users to engage in audio/video communication (paragraph 0003) by accessing a web-based portal (paragraph 0004). Given the teachings of Rafal, it would have been obvious to one of ordinary skill in the art to enable the recipient to receive the audio and video signals via a web-based portal, thereby eliminating the need to install added software on the recipient's machine.

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

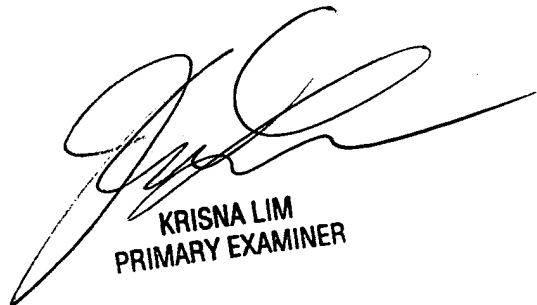
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 8am-5pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PSS



KRISNA LIM  
PRIMARY EXAMINER